

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

(1) ANTONIO STRONG, also known as “T-Glo,” “Tony Glo,” “Tonio,” “Antonio Strom,” “Michael Starkman,” “Richard O’Malley,” “Michael Lee,” “Mark Daniels,” “Sergio Parker,” “Michael Leary,” “Charles Gaut,” “Darren Geiger,” “Stan Smith,” and “Tyson Kocher,”

(2) HERBERT WRIGHT III, also known as “Herb,” “Lil Herb,” “G Herbo,” and “Herbert Light,”

(3) JOSEPH WILLIAMS, also known as “Joe Rodeo,” “Rockstar Rodie,” and “Rodie,”

(4) STEVEN HAYES, JR.,

(5) DEMARIO SORRELLS, also known as “Jonte” and “Johntay,” and

(6) TERRENCE BENDER, also known as “Blends” and “Dopeblends,”

Defendants.

CRIM. NO. 20-30033-MGM

**JOINTLY SUBMITTED PROPOSED ORDER FOR ENDS-OF-JUSTICE
CONTINUANCE AND EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its counsel, Nathaniel R. Mendell, Acting United States Attorney for the District of Massachusetts and Steven H. Breslow, Assistant United States Attorney (the “Government”) and counsel for the defendants Antonio Strong (Timothy Watkins, Esq.), Herbert Wright III (James Lawson, Esq.), Joseph Williams (Paul Rudof, Esq.), Steven Hayes, Jr. (Vikas Dhar, Esq.), Demario Sorrells (Jared Olanoff, Esq.) and Terrence Bender

(Tracy Duncan, Esq.) (collectively, “defendants” and “defense counsel”), jointly submit this proposed order for an ends-of-justice continuance and exclusion of Speedy Trial Act time from the most recent status conference on September 8, 2021 through and including the next scheduled interim status conference on October 19, 2021.

1. On August 3, 2021, the Court excluded the period from December 7, 2020 until August 5, 2021 from the Speedy Trial Clock. (D.106). On August 10, 2021, the Court excluded the period from August 5, 2021 to September 8, 2021 from the Speedy Trial Clock. (D.111). As of September 8, 2021, no zero days will have run on the Speedy Trial Clock.

2. On August 4, 2021, the Government informed the defense that it had completed its digital processing of the discovery, which consisted of approximately 108,335 documents totaling 116 GB and an additional 41 compound files (which are not individuals files, but rather large, stand-alone productions consisting primarily of social media search warrants and hard drives) totaling 120 GB. The Government provided the defense with a detailed spreadsheet that identified the files by Bates-number, name, file type, path (*e.g.*, Grand Jury / Responses, Grand Jury / Exhibits, etc.), number of pages, and other file information. The Government requested a discovery conference with the defense, which has not yet occurred. (D.107).

3. On September 3, 2021, the Government informed defense counsel that the first round of discovery, which consisted of all of the numerous Grand Jury subpoena responses, exhibits, and testimony, required a 32 GB flash drive. Upon receipt of the flash drives, the Government will provide the defense with bates-labeled copies of these materials.

4. At the most recent status conference on September 8, 2021, the parties agreed to request a continuance for the period from September 8, 2021 to the date of the next scheduled status conference on October 19, 2021, and stated that this period should be excluded pursuant to Local

Rule 112.2 and 18 U.S.C. § 3161(h)(7)(A), to permit the defense to (a) review the voluminous discovery; (b) investigate the evidence and possible defenses; (c) develop its own discovery; (d) evaluate the need for, and to prepare, discovery requests and/or pre-trial motions; and (e) engage in plea negotiations with the Government, all of which provide the basis for the Court to find that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

5. The proposed order is attached.

Respectfully submitted,

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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

By: /s/ Steven H. Breslow
STEVEN H. BRESLOW
Assistant U.S. Attorney

Dated: September 14, 2021

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Defendants.

JOINTLY SUBMITTED PROPOSED ORDER FOR ENDS-OF-JUSTICE ORDER OF

CONTINUANCE AND EXCLUDABLE DELAY

HONORABLE KATHERINE A. ROBERTSON, U.S.M.J.

Upon consideration of the parties’ joint request for an order of continuance and excludable delay, the Court finds as follows:

6. On August 3, 2021, the Court excluded the period from December 7, 2020 until

August 5, 2021 from the Speedy Trial Clock. (D.106). On August 10, 2021, the Court excluded the period from August 5, 2021 to September 8, 2021 from the Speedy Trial Clock. (D.111). As of September 8, 2021, no zero days will have run on the Speedy Trial Clock.

7. On August 4, 2021, the Government informed the defense that it had completed its digital processing of the discovery, which consisted of approximately 108,335 documents totaling 116 GB and an additional 41 compound files (which are not individuals files, but rather large, stand-alone productions consisting primarily of social media search warrants and hard drives) totaling 120 GB. The Government provided the defense with a detailed spreadsheet that identified the files by Bates-number, name, file type, path (*e.g.*, Grand Jury / Responses, Grand Jury / Exhibits, etc.), number of pages, and other file information. The Government requested a discovery conference with the defense, which has not yet occurred. (D.107).

8. On September 3, 2021, the Government informed defense counsel that the first round of discovery, which consisted of all of the numerous Grand Jury subpoena responses, exhibits, and testimony, required a 32 GB flash drive. Upon receipt of the flash drives, the Government will provide the defense with bates-labeled copies of these materials.

9. At the most recent status conference on September 8, 2021, the parties agreed to request a continuance for the period from September 8, 2021 to the date of the next scheduled status conference on October 19, 2021, and stated that this period should be excluded pursuant to Local Rule 112.2 and 18 U.S.C. § 3161(h)(7)(A), to permit the defense to (a) review the voluminous discovery; (b) investigate the evidence and possible defenses; (c) develop its own discovery; (d) evaluate the need for, and to prepare, discovery requests and/or pre-trial motions; and (e) engage in plea negotiations with the Government, all of which provide the basis for the Court to find that the ends of justice served by taking such action outweigh the best interest of the public and the defendant

in a speedy trial.

Accordingly, the Court hereby **ORDERS** that, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases*, the time within which the trial of the offenses charged in the indictment must commence is continued from September 8, 2021 through and including October 19, 2021, and this time period is excluded from the speedy trial clock because the exclusion outweighs the best interests of the public and the defendant in a speedy trial.

KATHERINE A. ROBERTSON
UNITED STATES MAGISTRATE JUDGE

Dated: September __ 2021